

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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FILE COPY

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :

JUDITH KANVIK, R.N., :
RESPONDENT. :

FINAL DECISION
AND ORDER

ORDER 0001717

The parties to this action for the purposes of Wis. Stats. sec. 227.16 are:

Judith Kanvik, R.N.
2317 CNTY Hwy. AB
McFarland, WI 53558

Board of Nursing
P.O. Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation & Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708-8935

A party aggrieved by this decision may petition the Board for rehearing within twenty (20) days after service of this decision pursuant to Wis. Stats. sec. 227.12. The petition in this instance would be captioned with Judith Kanvik, R.N., as the respondent.

A party aggrieved by this decision who is a resident of this state may also petition for judicial review by filing the petition in the office of the clerk of the circuit court for the county where the party aggrieved resides within thirty (30) days after service of this decision. A party aggrieved by this decision who is not a resident of this state must file the petition for judicial review in the office of the clerk of circuit court for Dane County. A party aggrieved must also serve the board and other parties with a copy of the petition for judicial review within thirty (30) days after service of this decision pursuant to Wis. Stats. sec. 227.16. The party to be named as respondent in the petition is the Board of Nursing.

The parties in this matter agree to the terms and conditions of the attached stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached stipulation and makes the following:

FINDINGS OF FACT

1. That Judith Kanvik, hereinafter called the respondent, held a license as a registered nurse at all times relevant to this proceeding.

2. That the respondent's registered nurse license is number 46156, issued on November 15, 1966.

3. That the respondent's address is 2317 CNTY Hwy. AB, McFarland, WI 53558.

4. That during August, September and October of 1983, the respondent converted controlled medications to her own use while working as a registered nurse at Madison General Hospital, Madison, WI.

5. That the primary controlled substance diverted was Dilaudid, a Schedule II controlled substance.

6. That the respondent ceased employment as a registered nurse in October 1983, and has not returned to the practice of nursing since that date.

7. That the respondent entered in-patient treatment on October 27, 1983, and has remained in treatment to the present. The respondent's rehabilitative efforts are described in Exhibit A.

CONCLUSIONS OF LAW

1. That by engaging in the activities described above, the respondent has engaged in unprofessional conduct contrary to Wis. Adm. Code sec. N 11.04.

2. That the Board of Nursing has jurisdiction to take disciplinary action for violation of Board rules and unprofessional conduct pursuant to sec. 441.07, Stats.

Therefore, it is hereby ORDERED:

1. That the license of the respondent, Judith Kanvik, shall be and hereby is limited from the date of this order until one year from the date she returns to the practice of nursing.

2. That before the respondent may return to the practice of nursing, she must successfully complete the Impaired Nurse Phase of the Impaired Professional Program as described in Exhibit A and provide documentation of such completion to the Board of Nursing. The anticipated completion date is December 9, 1985.

3. That the respondent shall not consume any unprescribed prescription drugs, controlled substances, or alcohol. All prescribed medications must be for a valid medical purpose.

4. That the respondent must inform prospective employers of her history of drug abuse.

5. That the respondent must inform the Board of Nursing of any change in her employment status within five days of such change.


6. That the respondent shall cause her work supervisor to send written quarterly reports to the Board of Nursing evaluating the respondent's work performance.

7. That upon the request of the employer, the respondent must submit to blood or urine tests for the presence of unprescribed drugs or alcohol.

8. That the respondent shall provide the Board with medical releases upon request for the release of information related to this order.

9. That violation of any of the terms of this order may result in a summary suspension of the respondent's license, the imposition of the stayed, portion of the discipline, and/or the imposition of other discipline as the Board may deem appropriate.

BOARD OF NURSING

By:  11-19-85
A Member of the Board Date

MJB:cls
951-383

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING


IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

JUDITH KANVIK, R.N., :
RESPONDENT. :

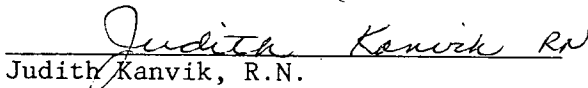
STIPULATION

It is hereby stipulated by the parties as follows:

1. That by signing this Stipulation, the respondent voluntarily and knowingly waives her rights in this matter, including the right to a hearing on the allegations against her.
2. That this Stipulation and attached Final Decision and Order shall be submitted to the Board of Nursing for purposes of reaching a final resolution of this matter.
3. That the respondent requests that the Board adopt this Stipulation and Final Decision and Order.
4. That the complainant also urges acceptance and adoption of this agreement.
5. That if all of the terms of this Stipulation and attached Final Decision and Order are not acceptable to the Board, then neither of the parties shall be bound by any of the terms.

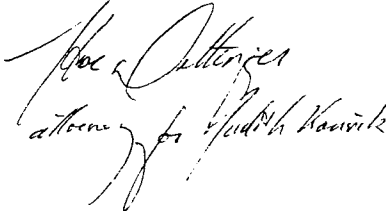

Michael J. Berndt
Attorney for Complainant

11/7/85
Date


Judith Kanvik, R.N.
Respondent

11/7/85
Date

MJB:cls
038-465


attorney for Judith Kanvik

11/7/85



August 6, 1985

Michael Berndt
Attorney
Department of Regulation and Licensing
Wisconsin State Board of Nursing
Post Office Box 8936
Madison, Wisconsin 53708

Dear Michael:

This is a written progress report and summary on Judy Kanvik's treatment in the Impaired Nurse phase of the Impaired Professional Program at De Paul Rehabilitation Hospital, Milwaukee. Judy entered inpatient treatment on October 27, 1983 with a diagnosis of 1) opioid dependence; 2) alcohol dependence syndrome, continuous; and 3) employment circumstances.

4143 South 13th St.
Milwaukee, WI 53221
414-281-4400

A comprehensive
facility for
alcoholism and other
drug abuse.

Judy was quiet and somewhat withdrawn during the early phase of her inpatient treatment. As documented in her medical records, she had difficulty in accepting herself as a chemically dependent person. Judy's husband was supportive of her treatment and became involved during her inpatient stay. Judy successfully completed her inpatient phase on ~~September~~ ^{MSB} 9, 1983, with a treatment plan as follows:

per Shauna Dunn

1. Random, witnessed urine drug screens one time weekly;
2. Aftercare at Madison Family Institute, which includes support group one time weekly with Joe Kessler, AODA counselor and Joyce Nouise;
3. Family counseling for husband and children at Madison Family Institute in Madison, Wisconsin;
4. Attendance at four to five AA/NA meetings per week;
5. Acquisition of an AA sponsor ASAP.

A. Bela Maroti
President

Edward T. Hida
Executive Vice President

John A. Moschnik, CPA
Vice President/Finance

Prior to Judy's coming into inpatient treatment, she was placed on a medical leave of absence from Madison General Hospital where she is employed as a staff nurse on the medical/oncology unit. Ms. Judy Gullickson, head nurse of the oncology unit at Madison General, stated that the hospital was supportive of Judy's treatment.

Exhibit A

August 6, 1985

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Berndt letter

On February 21, 1984, Judy called the coordinator of the Impaired Nurse Program--at that time Nancy Cervenansky--to report that she had relapsed. She admitted to taking two Tylox she had unexpectedly found in her home. Contact was made with Judy's aftercare counselor at MFI. Judy had already contacted him and reported her relapse. A urine drug screen was given on February 14, 1984, the date of the relapse. The routine weekly urine drug screen was given on February 16, 1984, and Judy had to produce another urine specimen on February 22, 1984, which was the day she informed the Impaired Nurse Program coordinator.

On March 8, 1984, a scheduled meeting was held for Judy with Dr. Herrington regarding the relapse on February 14, 1984. The urine drug screen obtained on February 16, 1984 was negative. Judy stated she felt badly about her impulsiveness about drugs. She denied that the impulsiveness was carrying through in any other part of her life. At that time she expressed some feelings of low self-esteem and some mental punishment of herself. At this meeting Judy stated that she was not ready to return to work, where she said she would feel uncomfortable. Recommendations at the end of this meeting were as follows:

1. One-to-one sessions with Joyce Nouise at MFI;
2. Continue one time weekly, random witnessed urine drug screens;
3. Consistent contact with AA sponsor;
4. Attendance at four to five AA/NA meetings per week;
5. Weekly support group at Madison Family Institute.

Judy returned to De Paul for a follow-up visit in May, 1984, for her progress report. Her urine drug screens had been negative for mood-altering chemicals since the prior visit on March 8, 1984. At that time, she was in compliance with her program and treatment recommendations. Judy stated that at that time she had extended her leave of absence from Madison General Hospital through July of 1984 and she subsequently resigned from her position on October 5, 1984.

August 6, 1985

Page 3

Berndt letter

Ms. Kanvik continues to progress in her recovery and has a positive attitude about her involvement in recovery as well as her husband's and children's involvement in the recovery process. Prior to this written report, the IPP treatment team met with Ms. Kanvik for a scheduled, quarterly case review. Her present treatment plan consists of:

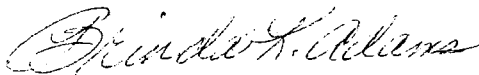
1. Weekly random, witnessed urine drug screens, all of which have remained negative to date for mood-altering chemicals;
2. Three to four AA/NA meetings per week on a regular basis;
3. One-to-ones with Joyce Nouise at MFI one time per week;
4. Consistent contact with her AA sponsor.

Judy remains unemployed and states she is not in any hurry to return to nursing in a hospital setting, but may consider other areas of nursing this fall, possibly doing work for medical mal-practice attorneys, insurance companies, or sale of medical equipment.

The IPP treatment team is in agreement that Judy is compliant in her recovery. She projects a positive image and has a positive attitude about her recovery to this date. Ms. Kanvik will be finishing the two-year Impaired Nurse Phase of the Impaired Professional Program on December 9, 1985.

If you need any additional information, please feel free to contact me or Shauna Dunn at (414)281-3571.

Sincerely,



Brinda K. Adams, RN
Nurse Manager
Impaired Nurses Program



Shauna Dunn, RN, MS
Program Director
Impaired Professional Program

BKA:mob